

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

MARIO CARRION CARRASQUILLO

Case No. 15-07433-MCF

DAMARIS GONZALEZ FLORES

Chapter 13

Attorney Name: ROBERTO FIGUEROA CARRASQUILLO*

I. Appearances Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Joint Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent <input type="checkbox"/> Prose <input checked="" type="checkbox"/> Appearing: Roberto Figueroa Colon, Esq.	Date & Time: 11/3/2015 1:53:00PM <input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: \$0.00 <input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing. Creditors: <div style="border: 1px solid black; height: 100px; width: 100%; margin-top: 5px;"> <u>None</u> </div>
II. Oath Administered <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
III. Plan Date: 09/26/2015 Base: \$12,000.00 Payments 1 made out of 1 due. Confirmation Hearing Date: 12/4/2015 1:30:00PM Evidence of Pmt shown:	
Attorney's fees as per R. 2016(b) <div style="display: flex; align-items: center;"> \$3,000.00 - \$112.00 = \$2,888.00 </div>	
IV. Status of Meeting <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed <input type="checkbox"/> Continued Continued Date: Comments:	
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

- ☐ Feasibility
- ☐ Insufficiently funded
- ☐ Unfair discrimination
- ☐ Fails disposable income
- ☐ Fails liquidation value test
- ☐ Insuarence quote

- ☐ No provision for secured creditor(s)
- ☐ Tax returns missing
 - ☐ State - years
 - ☐ Federal - years

Pending/Items/ Documents:

- ☐ DSO Recipient's Information
- ☐ Evidence of being current with DSO
- ☐ Evidence of income

- ☐ Monthly reports for the months
- ☐ Public Liability Insurance
 - ☐ Premises
 - ☐ Vehicle(s):
 - ☐ Licenses issued by:

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Trustee's objection to confirmation

☒ Objection to Confirmation

☐ Oral objection by creditor

1. No provision for Empresas Berrios's claim #2. An objection as filed by creditor in dkt# 10. Also, Schedule C needs to be revised since exceed the amount allowed.

2. As per Sch B, vehicle, 1998 Honda Accord is in possession of third party; however, debtor used exemption under d2 over the personal property. As per SOFA item# 10, vehicle was transferred in 4/2015 with a value of \$500.00. Sch B needs to be amended to disclose the value to the debtors as zero.

3. Amend Schedule C to eliminate exemption over 1998 Honda Accord since they sold it in April 2015. Also, exemption under Section 522(d)(3) needs to be limited to \$1,478.00, considering Berrios' lien.

3. Plan is insufficiently funded to pay secured creditors.

TAX RETURN NOTE: Debtors provided evidence of having filed state tax returns, yrs 2011-2014. Debtors received and spent the 2014 tax refund pre-petition.

The following party(ies) object(s) confirmation:

s/Miriam Salwen

Date: 11/03/2015

Trustee/Presiding Officer

(Rev. 05/13)